

#21
KAY
10-23-02

Combined Declaration and Power of Attorney for Patent Application

Docket Number: 38-21(15075)B

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled NUCLEIC ACID MOLECULES AND OTHER MOLECULES ASSOCIATED WITH PLANTS, the specification of which is filed herewith unless the following box is checked:

☒ was filed on November 24, 1998;
as United States Application Number 09/199,129; and
was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	
(Application No.)	(Country)	(Day/Month/Year Filed)	
			<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	
(Application No.)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>60/067,000</u>	<u>11/24/1997</u>	<u>Abandoned</u>
(Application No.)	(Filing Date)	(Status)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Lawrence M. Lavin, Jr.
Dennis R. Hoerner, Jr.
Richard H. Shear

Reg. No. 30,768
Reg. No. 30,914
Reg. No. 26,583

Jeffrey I. Auerbach, Reg. No. 32,680
Melvin L. Barnes, Jr. Reg. No. 38,375
Michael J. Bell, Reg. No. 39,604
Mark R. Buscher, Reg. No. 35,006
Celine T. Callahan, Reg. No. 34,301
Cono A. Carrano, Reg. No. 39,623
Joseph V. Colaianni, Reg. No. 39,948
James F. Davis, Reg. No. 21,072
Thomas M. Dunham, Reg. No. 39,965
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Leslie L. Jacobs, Jr., Reg. No. 40,659

Richard H. Kjeldgaard, Reg. No. 30,186
Joseph P. Lavelle, Reg. No. 31,036
David R. Marsh, Reg. No. 41,408
Joseph A. Micallef, Reg. No. 39,772
Erik B. Milch, Reg. No. 42,887
Anthony D. Miller, Reg. No. 34,394
Karen L. Nicastro, Reg. No. 35,968
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Andrea G. Reister, Reg. No. 36,253
Stephen J. Rosenman, Reg. No. 29,209
Timothy L. Scott, Reg. No. 37,931
Anthony W. Shaw, Reg. No. 30,104
J. David Smith, Reg. No. 39,839
Michael J. Songer, Reg. No. 39,841

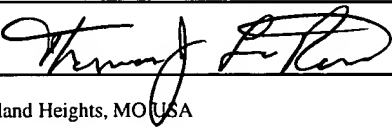
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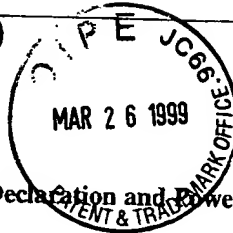
Larry M. Lavin, Jr.
Monsanto Company
700 Chesterfield Parkway North, BB4F
St. Louis, Missouri
Facsimile: (314) 737-6047

Direct Telephone Calls to: 314-737-6670

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Joseph R. Byrum	
Inventor's signature	Date
Residence	Des Moines, IA USA
Citizenship	USA
Post Office Address	4533 Woodland Avenue, Unit 1, Des Moines, Iowa 50266
Full name of second inventor Thomas J. La Rosa	
Second inventor's signature 	Date 3/2/99
Residence	Maryland Heights, MO USA
Citizenship USA	
Post Office Address	2032 Lakepoint Dr., Apt. C, Maryland Heights, Missouri 63043
Full name of third inventor	
Third inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

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Prior Foreign Application(s)

Priority Claimed

☐ Yes ☐ No

(Application No.) (Country) (Day/Month/Year Filed)

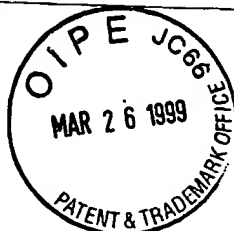
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60/067,000 11/24/1997 Abandoned
(Application No.) (Filing Date) (Status)

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Appl. No. 09/199,129
Docket No. 38-21(15075)B

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Full name of sole or first inventor	Joseph R. Byrum
Inventor's signature	<i>Joseph R. Byrum</i>
	Date 3/24/99
Residence	Des Moines, IA USA
Citizenship	USA
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Second inventor's signature	
	Date
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Citizenship	USA
Post Office Address	2032 Lakewood Dr., Apt. C, Maryland Heights, Missouri 63043
Full name of third inventor	
Third inventor's signature	
	Date
Residence	
Citizenship	
Post Office Address	